

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
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EVENT#: 171001-3519

SPECIFIC CRIME: ACTIVE SHOOTER / MURDER

DATE OCCURRED: 10-01-17

TIME OCCURRED: 2208 HOURS

LOCATION OF OCCURRENCE: MANDALAY BAY RESORT AND CASINO
3950 S. LAS VEGAS BOULEVARD
LAS VEGAS, NV 89119

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: OFFICER DAVID NEWTON (DN), P# 5278

DOB:

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE S. KEITH (SK), P# 9190, LVMPD FORCE INVESTIGATION TEAM, on 10-03-17 at 1620 hours. Also present is Las Vegas Police Protective Association representative B. Yant (BY), P# 6956.

SK: All right, operator this is Detective Keith with the Force Investigation Team conducting a recorded statement with, uh, David Newton. Uh, last name, uh Nora, Easy, William, Tom, Ocean, Nora - first name is David. P# 5278, call sign is K-94, date of hire is [REDACTED]

[REDACTED] Uh, he is assigned to the K-9 unit. RDO's Thursday, Friday, Saturday 1600 to 0200, and the vehicle he was driving that day is 17002. This interview is in reference to an officer involved shooting that occurred on 10-1-2017 at Mandalay Bay, 3950 South Las Vegas Boulevard under event 171001-3519. Today's date is 10-03-17 and the time is 1620 hrs. We are conducting a statement at LVMPD headquarters building [REDACTED]

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C, third floor, conference room. Also present is PPA representative, Yant. P# 6956.

Are you aware that this is being recorded?

DN: Yes.

SK: Okay. And, uh, that day what uniform were you wearing?

DN: Um, my standard canine greens.

SK: Okay. And so - obviously we are here in reference to the active shooter situation across the street from Mandalay Bay. Can you just tell me how you learned about the call and - and, uh, what's your reaction was?

DN: Yeah. We were at, uh, dog training in Moon Valley at 215 and Eastern, uh, Sergeant Bitsko - I was assigned to a call on enterprise, um, before I left uh for that call - Sergeant Bitsko told me, "Hey, listen, this, uh, convention center, sounds like they might have an active shooter." So I switched my radio over to convention center - heard officers screaming about, uh, shots being fired, uh, so we immediately then went towards the Mandalay Bay where they said the shots were coming from. Uh, we drove - rolled code all the way to Mandalay Bay. Uh, we decided since the shots were coming from the north side of the building and, uh, shots were coming northeast - to the northeast, we, uh, decided we were going to stop at the Shark Reef, make entry from the south end, through the entrance at Shark Reef into the casino. Um, when we got to the Shark Reef entrance, Sergeant Bitsko had to ask for a couple more officers so we can have, uh, an active shooter team, and then go into the building. So while we were waiting for that, I put on my swat heavies and helmet, grabbed my shield - couple other officers

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got there with us. We then made entry into the casino. We worked our way, uh, to the security podium and advised them that they needed to evacuate the casino – because there was still some people and there just gambling and not knowing what was going on.

SK: Mm-hm.

DN: We didn't know if the shooter was still in his room or not. Um, prior to us getting there, or making an entry I told dispatch that advise Mandalay Bay to shut down the elevators, uh, so the suspect wouldn't get mobile - if, uh, he was up there he would have to take the stairs. So then after we left one person with security, so they could go to the surveillance room, we then continued on to the elevator banks - got with maintenance there, who let us in. We took the elevator up, I think to the 29th floor and just cleared the hallways - to make sure there was no other - 'cause we didn't know for sure. We knew 32 was, uh, most likely where he was shooting from - but there was also reports of possibly 29, uh, so we started there - checking the hallways, checking for any obvious signs of gunfire. Um, we cleared all three of those halls then we moved up to 30 - cleared all three of those and then we moved up to 31. And when we were up on 31 we met up with the SWAT operator Levi, Hancock and we, um - and this was at the end of that search and we met him at the stairwell that led directly next to the suspect's room - on 32. So, uh, Levi, Sergeant Bitsko and myself, uh, then opened the door to the stairwell - which was right next to the suspect's room. We opened the door - we just cracked it to see what was out there. We could see a cart - a food service cart in front of another room door, but it had wires coming out from underneath the door onto

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the food cart. We didn't know at that time if it was some kind of explosive, uh, trap he had set or what. Um, so then we advised - were able to advise via phone - because the radio was too tied up. One of the guys - one of the patrol officers with us was able to call the officers that were down the hallway - covering down on the suspect's room - told them, "Hey, we are going to come out and place a charge on the door." And uh, just letting know 'em know we're coming out.

SK: Mm-hm.

DN: Uh, Levi had called his lieutenant advised him of what we're - what the plan was - to hang a charge, blow the door - see if we could get any reaction from the suspect, uh, 'cause, there hadn't been shots fired in at least you know, 30 - 40 minutes or longer - whatever it was - it, uh, had been a while. And, um, when we - so, I went out with a shield - Levi, Bitsko came out. Bitsko went and flipped the camera that was on top of the cart and Levi started hanging the charge on the door. I covered the door with the shield while he hung the charge. He hangs the charge - we come back in the stairwell and, uh, then we blow the door. And when we blow the door we waited a little bit to see there was any kind of reaction from the suspect. We opened up the door to the hallway, to peek in, we can see a, uh, rifle on a bi-pod, on the floor in the room, but that's as far as we could see. So, since we didn't get any reaction we didn't know if the suspect was still in the room or not, uh, and, so, now we had to make entry. Uh, so, I stepped out with the shield - covering with the shield while everybody else flowed behind me into the room. I covered on their room, directly across, uh, that had the

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wires coming out of it - 'cause we knew somehow that room was in play because that was not normal.

SK: Mm-hm.

DN: Um, after a few of the guys went into the room, I saw another patrolman coming through the door of the stairwell and I told him, "Hey, cover on this door." And then I flowed into the room, uh, with the rest of the team that was already in there...

SK: Mm-hm.

DN: ...to cover. Um, they had cleared the initial rooms, but we had that adjoining room, now - which that door was locked. So Levi had me covering down on that door while he prepared another charge for that door. Um, he set the charge on the door, we then blew the door. A few seconds after the door was blown, I heard uh three rounds fired and then we went in - that room was cleared and found that the - there was nobody else involved except for the suspect who had apparently shot himself on the floor.

SK: Okay.

DN: That was - and after that we went and did the rest of the cleanup stuff.

SK: Okay. So backing up to when you guys came up to the 32nd floor - just to clarify - you came through the stairwell door?

DN: Yes.

SK: Okay. Did you guys have any issues coming through that door?

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DN: We had issues communicating with the people that were covering, long - down the hallway.

SK: Okay.

DN: Um, when we first cracked the door - shined our light out there - they were yelling down the hallway, "Who is it, who is it?" We tried at least four times to get on the radio to say, "Hey, it's us. Leftin' you know we're down here, we couldn't get on the radio." Um, And so I kept blinking my light trying to let 'em know - hey, you know, normal people aren't just going to sit there and blink their light.

SK: Right.

DN: That it might be, uh, patrol. Um, then finally someone was able to call somebody on that team down there and let them know, "Hey, that is us down here."

SK: Okay.

DN: So, that was the biggest problem we had there was just not being able to communicate.

SK: Okay. And then just one other thing to clarify. After the first explosive charge, initially - okay, once that went off - you said that you guys waited a little bit. Can you just kind of narrow that?

DN: Yeah, I-

SK: Not, not, not - I'm not asking for an exact number...

DN: Yeah. Yeah.

SK: I'm just looking to narrow it down just a little bit more.

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DN: I don't think it was more than a minute.

SK: Okay.

DN: You know, and, uh, and then we went in. It wasn't - we didn't wait for 10 minutes or nothing like that. It wasn't but I think no more - more than a minute - two at the max.

SK: Okay.

DN: But I don't think it was even that long.

SK: Okay. All right. I just wanted to make sure that it wasn't like an hour or...

DN: Yeah.

SK: ...it wasn't anything extreme.

DN: Yeah. No, we were just waiting to see if we got any response from blowing the door, if he would fire at us...

SK: Hm.

DN: ...and then there was none. So, then, uh, just made entry.

SK: Okay. Is there, uh, anything else you feel like we should know or something that we didn't cover or anything you want to add?

DN: Um, no - I don't know if this is the place to talk about it, but just, there was confusion for a lot of people - because there was a lot green uniforms out there - too many green uniforms. So that was a problem that people were going up to some 16,000 P#, uh, Flex-CCAC guy, thinking he was a SWAT officer and that, I think needs to be

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addressed. I think SWAT, K-9, Search and Rescue - the three elements that work together on all the barricades, all the hostage rescues - all that stuff — what's that, should wear - all the tactical teams should wear greens. The other ones can wear the tans -if they want to wear - you know, if they want them in BDUs. Just so as not going to create confusion when you have a huge, mass event like this where everybody in the department is coming together. That was, uh, the biggest problem I saw - I think out there. Other than that - I mean, and communication of course.

SK: Right.

DN: You know it would have been nice to take any casualties - you go on South Central channel - anybody dealing in Mandalay Bay itself - with suspect, stays on this channel. Something like that would have nice. But I know they say they split the channels, but it had been such a time lapse and something like that needs to be addressed as soon as possible 'cause a lot of these guys out there their young and new and stuff and their very - it's very dynamic thing that's going on at the time and...

SK: Correct.

DN: ...yet we understand that everyone's dealing with casualties. But that's - should be held somewhere else so the ones' that are working the possible suspect - addressing him - need to have an open radio.

SK: Right

DN: So...

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SK: Okay.

DN: That is about it.

SK: Cool. All right, operator, uh, this is the end of the interview. Time is 1633 hours and the same persons are present.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT LVMPD HEADQUARTERS, 400 S. MARTIN LUTHER KING BOULEVARD, LAS VEGAS, NV 89106, ON THE 3RD DAY OF OCTOBER 2017 AT 1633 HOURS.

SK: (NET TRANSCRIPTS)

FIT2017-032

Reviewed by M6239S on 10/08/2017